



August 27, 2002

Mayor Wesely and City Council
City of Lincoln
City County Building
Lincoln, NE

Mayor Wesely and Members of the City Council:

An investigation has been made regarding the application of David Nguyen Inc, d.b.a. Club Energy, 1415 'O' Street requesting a class I liquor license. This location was previously known as Studio 14 which held a class I liquor license.

Thanh "David" Nguyen, owner of all shares has requested that he be approved as the manager of the liquor license.

Mr. Nguyen currently has no liquor license experience; he has hired Richard Fitzgerald, a current manager at Applebee's as a manager for club. Mr. Nguyen and Mr. Fitzgerald both will be attending the responsible hospitality training.

Background information on the application is as follows:

Thanh Nguyen was born in Vietnam. He attended High School in Vietnam graduating in 1985. Thanh Nguyen became a United States Citizen in 2000.

Mr. Nguyen has been the owner of LA Nails in locations through out the United States since 1996. He currently owns a LA Nails located at 6100 "O" Street.

If this application is approved, it should be with the understanding that it conforms to all the rules and regulations of Lincoln, Lancaster County and the State of Nebraska.

A handwritten signature in black ink, appearing to read "Tom K. Casady".

THOMAS K. CASADY, Chief of Police



Police Department

575 South 10th Street / Lincoln, Nebraska 68508 / Phone: 402-441-7204 / Fax: 402-441-8492 / Website: www.ci.lincoln.ne.us

A nationally accredited law enforcement agency



Liquor License Business Report / Completed by Inv Fosler Date: _____

DBA: CLUB ENERGY

ADDRESS 1415 'O' ST PHONE 475-2727

TYPE OF INVESTIGATION:

PURCHASE UPGRADE EXPANSION NEW

OWNER MANAGER OTHER _____

TYPE OF BUSINESS BAR

CLASS: A B C D I J K CATERING OTHER _____

OWNERSHIP CORPORATION PARTNERSHIP INDIVIDUAL

PURCHASE PRICE _____ PROPERTY EQUIPMENT VALUE _____

AMOUNT FINANCED N/A SOURCE _____

COLLATERAL _____ COSIGNER(S) _____

LEASE AGREEMENT \$7500⁰⁰ 2012

EST INCOME %FOOD _____ %LIQUOR 100

COMMERCIAL INDUSTRIAL RESIDENTIAL

TRAFFIC HEAVY PARKING ON STREET

READY FOR OPERATION: YES NO, EST DATE NOV 1

FOOD SERVICE N/A # OF EMPLOYEES F/T 1 P/T 20-25

DOES LICENSE COMPLY WITH LEGAL DISTANCES: YES
NO _____

EST SEATING 760 EST # DAILY CUSTOMERS N/A

HOURS OF OPERATION 8pm - 1am WED - SAT

HUMAN RIGHTS COMMISSION CHECKED- YES NO N/A

Liquor License Investigation

Business (DBA) CLUB ENERGY

☒ Manager ☒ Owner ☐ Other _____

Name: Thahn Nguyen

US Citizen? ☒ Yes ☐ No

Has applicant ever been cited for liquor law violations? ☒ No ☐ Yes
Explain _____

Does applicant have an interest in another liquor license? ☒ No ☐ Yes
Explain _____

Is spouse qualified to hold a license? ☒ Yes ☐ No ☐ N/A

How is applicant if not an owner to be paid? Salary Hourly N/A

How many hours will applicant be at the establishment? 30+

Any other employment? No ☒ Yes explain LA Nails

Any previous experience with a liquor license? Yes ☒ No

Any criminal convictions? ☒ No ☐ Yes
Comments _____

Is applicant a property owner in Lincoln? ☒ Yes ☐ No

Is applicant involved in any civil litigation? ☒ No ☐ Yes
Comments _____

☒ Photo ☒ Records Check ☒ References

Comments _____

Interview Date 8/27/02

STATE OF NEBRASKA *Luss*

Set date: 8/26
PH: 9-16-02



Mike Johanns
Governor

August 22, 2002

Class I # ~~54099~~
54099

City Clerk of Lincoln
City/County Building
555 S 10 Street
Lincoln, NE 68508

NEBRASKA LIQUOR CONTROL COMMISSION

Forrest D. Chapman

Executive Director

301 Centennial Mall South, 5th Floor

P.O. Box 95046

Lincoln, Nebraska 68509-5046

Phone (402) 471-2571

Fax (402) 471-2814

TRS USER 800 833-7352 (TTY)

*AL-098060
78*

*David Nguyen
dba Club Energy*

Class I 1415 "C" Street

Dear Local Governing Body:

Attached is the form to be used on all retail liquor license applications. Local clerks must collect proper license fees and occupation tax per ordinance, if any, before delivering the license at time of issuance.

TWO KEY TIME FRAMES TO KEEP IN MIND ARE:

- 1) You have 45 days to conduct a hearing after the date of receipt of the notice from this Commission (§53-134). You may choose **NOT** to make a recommendation of approval or denial to our Commission.

PER §53-133, THE LIQUOR CONTROL COMMISSION SHALL SET FOR HEARING ANY APPLICATION WHEREIN:

- 1) There is a recommendation of denial from the local governing body.
- 2) A citizens protest; or
- 3) Statutory problems that the Commission discovers.

PLEASE NOTE...A LICENSEE MUST BE "PROPERLY" LICENSED IN ORDER TO PURCHASE FROM WHOLESALERS; AND, A LICENSE IS EFFECTIVE:

- 1) Upon payment of the license fees;
- 2) Physical possession of the license;
- 3) Effective date on the license.

Sincerely,

NEBRASKA LIQUOR CONTROL COMMISSION

Jackie B. Matulka
Licensing Division

Enclosures
Rhonda R. Flower
Commissioner

Bob Logsdon
Chairman

R.L. (Dick) Coyne
Commissioner

An Equal Opportunity/Affirmative Action Employer

Printed with soy ink on recycled paper

FORM 35-4001
REV. 12 99

FILED
CITY CLERK'S OFFICE
CITY OF LINCOLN
NEBRASKA
AUG 23 PM 2 35

I #54099

Local-jbm
RECEIVED

APPLICATION FOR LICENSE

Nebraska Liquor Control Commission
PO Box 95046,
301 Centennial Mall South
Lincoln, NE 68509-5046

<http://www.nol.org/home/NLCC/>
Phone: (402) 471-2571
Fax: (402) 471-2814

AUG 16 2002

NEBRASKA LIQUOR
CONTROL COMMISSION

replacing what was Studio 14

INSTRUCTIONS: Include: 1. Applicable fees payable to Liquor Control Commission 2. Copy of birth certificate or naturalization papers proving U.S. citizenship for each individual and spouse named on application (not required of corporations or spouse(s) who file an affidavit of no interest with application, Commission form 4178 3. Corporations must include copy of articles of incorporation as filed with the Secretary of States office in the state of Nebraska 4. Commission checklist, form 4251 5. Fingerprint cards and processing fees (are required of individuals, all partners and spouses. Corporate applicants must file for CEO/Manager & stockholders holding over 25% stock 6. All applications must be typewritten or printed clearly 7. Submit in **Triplicate** 8. Required areas marked by a red asterisk (*)

CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND LIST OF FEES FOR EACH

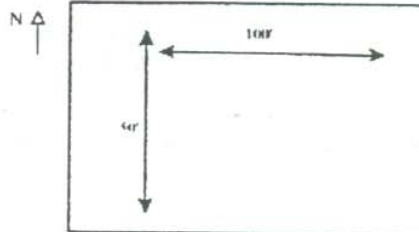
Class of License (Check applicable class) *	Registration Fee	License Fees	Corporate Surety Bond
<input type="checkbox"/> A Beer, On Sale Only - Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> F Beer, On Sale Only - Outside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> B Beer, Off Sale Only - Inside/Outside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> J Wine, Beer, On Sale Only - Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input checked="" type="checkbox"/> I Spirits, Wine, Beer, On Sale Only - Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> D Spirits, Wine, Beer, Off Sale Only - Inside Corporate Limits	\$45.00	\$150.00	exempt
<input type="checkbox"/> D1 Spirits, Wine, Beer, Off Sale Only - within extraterritorial zoning jurisdiction	\$45.00	\$150.00	exempt
<input type="checkbox"/> C Spirits, Wine, Beer On & Off Sale - Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> M Bottle Club (Spirits, Wine, Beer, On Sale)	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> H Nonprofit Corporation	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> K Wine Only, Off Sale	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> O Boat	\$45.00	\$50.00	exempt
<input type="checkbox"/> V Manufacturer of Beer, Wine & Distilled Spirits	\$45.00	Varies \$100 to \$1,000	\$10,000 min.
<input type="checkbox"/> X Wholesale Liquor	\$45.00	\$500.00	\$ 5,000 min.
<input type="checkbox"/> W Wholesale Beer	\$45.00	\$250.00	\$ 5,000 min.
<input type="checkbox"/> Y Farm Winery	\$45.00	\$250.00	\$ 1,000 min.
<input type="checkbox"/> L Craft Brewery (Brew Pub)	\$45.00	\$250.00	\$ 1,000 min.

TYPE OF APPLICATION *	CORPORATE SURETY BOND INFORMATION
Type of application being applied for (check appropriate box)	Bond Company - for Classes L V W X Y only
1. <input type="radio"/> Individual License requires Form 1 to be attached.	<input type="checkbox"/> Exempt
2. <input type="radio"/> Partnership License requires Form 2 to be attached.	Start Date _____
3. <input checked="" type="radio"/> Corporate License requires Forms 3 and Manager Application to be attached	Month/Day/Year _____ Bond Number _____
SECTION A – LOCATION INFORMATION – Must be completed by all applicants	
Trade Name (name of business) Club Energy	Telephone Number at premise to be licensed Not yet assigned 402-475-2727
1) Street Address of Proposed licensed premise 1415 "O" Street	2) Mailing Address for receipt of Liquor Control Commission mailings 3015 North 75th Street Court
City _____ County _____ Lincoln Lancaster	City _____ County _____ Lincoln Lancaster
Zip Code _____ 68508	Zip Code _____ 68507

DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED

In the space provided draw the area to be licensed. This should include storage areas, basement, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building in situations where only a portion of the entire bldg. is to be covered by the license. No blue prints will be accepted. Be sure to indicate the direction North and number of floors of the building.

See attached.



Example: East portion approximately 50' x 100' of main floor of 3 story building plus basement. Approximately 30' x 50' at the East end.

SECTION B			
OTHER INFORMATION REQUIRED *			
	Yes	No	Explanation/Comments Note: Only what is visible on screen will be printed
<p>* 1. READ CAREFULLY. Answer completely and accurately.</p> <p>Has anyone who is a party to this application, or their spouse, ever been convicted of or plead guilty to any criminal charge. Criminal charge means any charge alleging a felony or misdemeanor violation of a federal or state law; or a violation of a local law, ordinance or resolution. Include any DWIs or DUIs. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.</p>	Yes <input checked="" type="radio"/>	No <input type="radio"/>	See attached.
<p>* 2. Are you buying the business and/or assets of a licensee? If yes, submit a copy of the sales agreement with a listing of assets being acquired including liquor inventory (name brand and container size required).</p>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
<p>* 3. Are you filing a temporary agency agreement, Commission form 4231, whereby current licensee allows you to operate on their license? If yes, attach copy.</p>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
<p>* 4. Are you borrowing any money from any source to establish and/or operate the business? If yes, list the lender.</p>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
<p>* 5. Will any person or entity other than licensee be entitled to a share of the profits of the establishment? If yes, explain.</p>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	

<p>* 6. Will any of the furniture, fixtures and equipment to be used in this business be owned by others? If yes, list such items and the owner.</p>	<p>Yes <input checked="" type="radio"/></p>	<p>No <input type="radio"/></p>	<p>See attached list.</p>
<p>* 7. Will any person(s) other than named in this application have any direct or indirect ownership or control of the business? If yes, explain?</p>	<p>Yes <input type="radio"/></p>	<p>No <input checked="" type="radio"/></p>	
<p>* 8. Are the premises to be licensed within 150 ft. of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, children, or within 300 ft. of a college or university campus? If yes, list the name of such institution and where it is located in relation to the premises. Per Sec. §53-177.</p>	<p>Yes <input type="radio"/></p>	<p>No <input checked="" type="radio"/></p>	
<p>* 9. Is anyone listed on this application a law enforcement officer? If yes, list the person, the law enforcement agency involved and the persons exact duties.</p>	<p>Yes <input type="radio"/></p>	<p>No <input checked="" type="radio"/></p>	
<p>10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business and the person(s) who will be authorized to write checks and/or make withdrawals on accounts at such institutions.</p>	<p>Cornhusker Bank, Lincoln, NE Thanh Nguyen Binh Luong</p>		
<p>11. List all past and present liquor licenses held by any person named in this application. Include license holder name, location of license and license number. Also list reasons for termination of any licenses previously held.</p>	<p>None</p>		
<p>12. List the person who will be the on site supervisor of the business and the estimated number of hours per week such person or manager will be on the premises supervising operations.</p>	<p>Richard J. Fitzgerald 5-29-66 50-60 hrs./week</p>		

13. List the training and experience of the person listed in #12 above in connection with selling and/or serving alcohol products.	Manager at Applebee's restaurant. Ordering, selling and serving alcohol. Manager will attend additional training.		
14. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership, if leased submit a copy of the lease covering the entire license year. (Documents must show title or lease held interest in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed)	See attached lease.		
15. When do you intend to open for business?	October 15, 2002.		
16. List the principal residence for the past 10 years for all persons required to sign application. If necessary attach a separate sheet.			
NAME	FROM (YEAR)	TO (YEAR)	RESIDENCE (CITY, STATE)
Thanh Nguyen	1991	1994	Atlanta, GA
Thanh Nguyen	1994	1996	Auburn, AL
Thanh Nguyen	1996	Present	Lincoln, NE
Binh Luong	1991	1994	Atlanta, GA
Binh Luong	1994	1996	Auburn, AL
Binh Luong	1996	Present	Lincoln, NE

The undersigned applicant(s) hereby consent(s) to a background investigation and release of present & future records of every kind and description including police records, tax records (State and Federal), bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation or any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete and/or inaccurate.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

Must be signed in the presence of a notary public. Must be signed by applicant and spouse; if a partnership, all partners and spouses must sign and corporation, all stockholders (holding more than 25% of the stock), officers, directors and spouses must sign. Full names only, initials not acceptable.

Sign
here

Sign
Here

Sign
Here

Sign
Here

Sign
Here

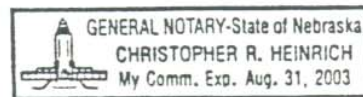
Sign
Here

Sign
Here

Sign
Here

Subscribed in my presence and sworn to before me this 15 day of Aug, 2002

(SEAL)



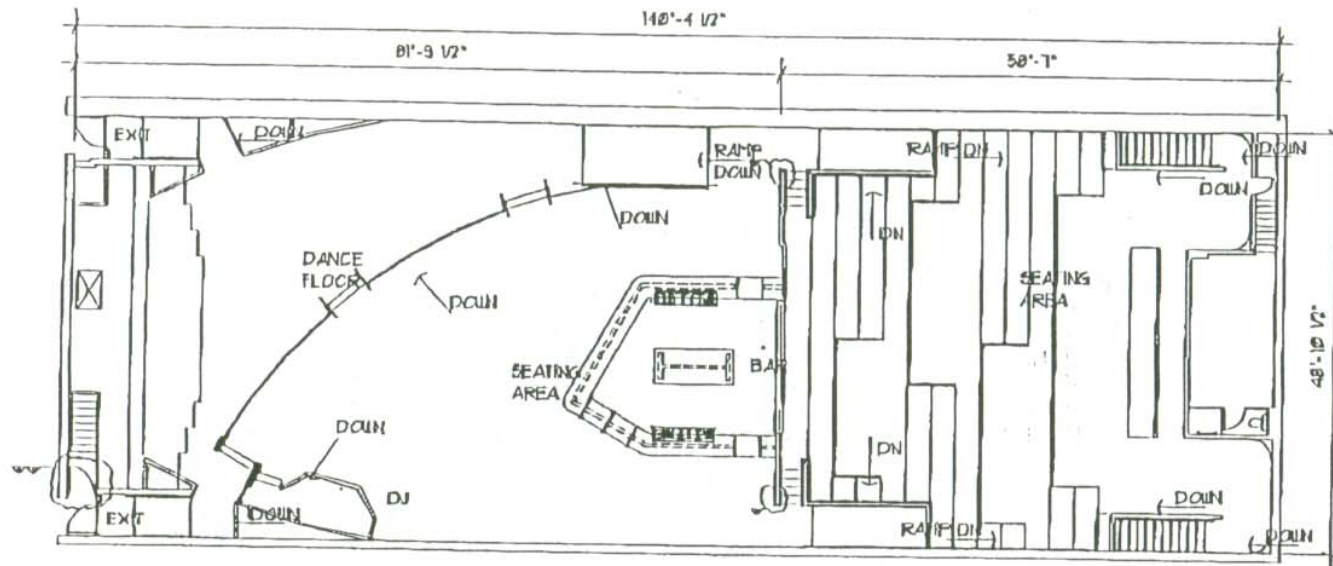
In compliance with ADA, this application for license form is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternative format.

Sign
here

Christopher R. Heinrich
Notary Public Signature

Verify & Print form

FORM 35-4010
1
REV 1/01



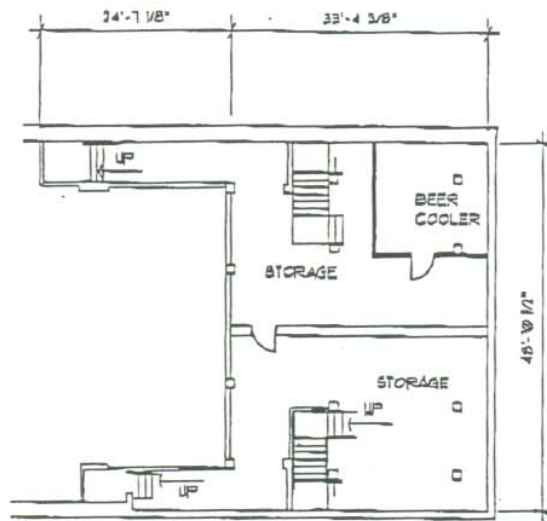
DANCE FLOOR/SEATING/BAR PLAN

SCALE: 1/16" = 1' - 0"



DANCE FLOOR/SEATING/BAR

DANCE FLOOR: 1112 SF
SEATING: 4035 SF
BAR: 509 SF
CIRCULATION/MECH: 193 SF
TOTAL: 6929 SF



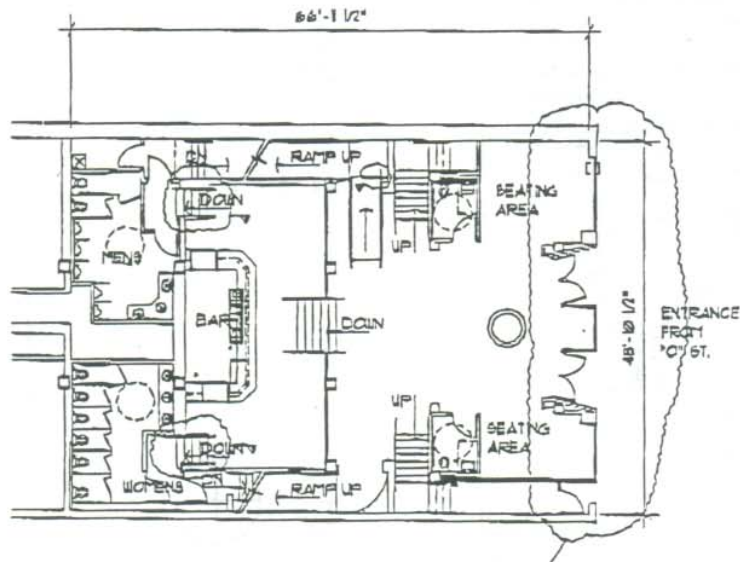
BASEMENT STORAGE PLAN

SCALE: 1/16" = 1' - 0"



BASEMENT/STORAGE

DANCE FLOOR: 1873 SF



ENTRY/LOUNGE PLAN

SCALE: 1/16" = 1' - 0"



ENTRY/LOUNGE AREA

SEATING: 1597 SF

BAR: 707 SF

TOILET ROOMS: 608 SF

CIRCULATION/TECH: 816 SF

TOTAL: 3733 SF